

REMARKS

In the Office Action mailed March 21, 2008 the Office noted that claims 1-53 were pending, rejected claims 1-37, 39-46 and 49-53 and withdrew claims 38, 47 and 48. Claims 1, 9, 13, 14, 16, 17, 20, 26, 27, 28, 30, 32, 37, 43, 44, 49 and 50 have been amended, claim 19 has been canceled, claims 60 and 61 are new, and, thus, in view of the foregoing claims 1-18, 20-53, 60 and 61 remain pending for reconsideration which is requested. No new matter has been added. The Office's rejections and objections are traversed below.

OBJECTION TO THE DRAWINGS

The drawings stand objected to. In particular the Office asserts that drawings do not show every feature of the invention as specified in the claims.

The Applicant has removed the "hollow spacer" feature from the claims.

Withdrawal of the objection is respectfully requested.

OBJECTION TO THE SPECIFICATION

The disclosure stands objected to for informalities. In particular, the Office states that the Specification does not disclose a "hollow spacer" as in claim 19. The "hollow spacer" feature of the claims has been removed.

Withdrawal of the objection is respectfully requested.

REJECTIONS under 35 U.S.C. § 112

Claims 9, 13 and 17 stand rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. The Applicant has amended the claims to overcome the rejection.

Claims 1, 14 and 20 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention.

The Applicant has amended the claims to overcome the rejection.

Withdrawal of the rejections is respectfully requested.

REJECTIONS under 35 U.S.C. § 102

Claims 1-6, 14-36, 40-43, 45-46 and 49-52 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Hosoda, U.S. Patent No. 5,975,229. The Applicant respectfully disagrees and traverses the rejection with an argument and amendment.

Hosoda discusses a conveyance that comprises wheels and shafts and is ridden in the manner of a snowboard.

The Applicant has amended claim 1 to further recite "said each motion-facilitating means including an increased circumferential surface width adapted to increase both the wheelbase of the motion-facilitating means and the contact

between the wheels and the surface on which the conveyance is being used." Support for the amendment may be found, for example, on at least pages 12 and 21 of the present Specification. The Applicant submits that no new matter has been added by the amendment of claim 1. Independent claim 49 was amended in a manner similar to claim 1.

Hosoda is not suitable for use on uneven ground, broken concrete surfaces, longer grass surfaces, or stone chip or pebble surfaces or the like as motion-facilitating means including an increased circumferential surface width adapted to increase both the wheelbase is.

Further, on page 7 of the Office Action it is asserted that Hosoda Fig. 1, items 4 and 5, discloses "the foot supporting member including, or including provision for attachment of, at least two axle assemblies," as in claim 1.

However, shafts 4 and 5 of Hosoda do not attach or include provision for attachment to footboards 10a and 10b. The footboards 10a and 10b attach to pipe frame 6. The shafts 4 and 5 do not attach to pipe frame 6 either but instead, attach to connector 20a and 20b. The footboards 10a and 10b in no way attach to the shafts 4 and 5 of Hosoda.

For at least the reasons discussed above, claims 1 and 49 and the claims dependent therefrom are not anticipated by Hosoda.

Further, as the axles do not attach to the footboards

in Hosoda, the reference further does not disclose "pivotally mounted towards at least the front leading end of the foot supporting member to enable directional movement to be achieved," as in claim 17. In Hosoda the axles is not pivotally attached or for that matter attached to any end of the foot supporting member.

Withdrawal of the rejections is respectfully requested.

REJECTIONS under 35 U.S.C. § 103

Claims 7-13 and 37 stand rejected under 35 U.S.C. § 103(a) as being obvious over Hosoda in view of Wyndham, U.S. Patent No. 1,768,228. The Applicant respectfully disagrees and traverses the rejection with an argument.

Wyndham discusses a roller skate with three wheels, two wheels in the rear one in the front.

Wyndham adds nothing to the deficiencies of Hosoda as applied against the independent claims. Therefore, Hosoda and Wyndham, taken separately or in combination, fail to render obvious the features of claims 7-13 and 37.

Claims 39 and 53 stand rejected under 35 U.S.C. § 103(a) as being obvious over Hosoda in view of Gay, U.S. Patent No. 5,522,609. The Applicant respectfully disagrees and traverses the rejection with an argument.

Gay adds nothing to the deficiencies of Hosoda as applied against the independent claims. Therefore, Hosoda and

Gay, taken separately or in combination, fail to render obvious the features of claims 39 and 53.

Claim 44 stands rejected under 35 U.S.C. § 103(a) as being obvious over Hosoda. The Applicant respectfully disagrees and traverses the rejection with an argument.

For at least the reasons discussed above, the claim 44 is not rendered obvious over Hosoda.

Withdrawal of the rejections is respectfully requested.

NEW CLAIMS

Claims 60 and 61 are new. Support for claim 60 may be found, for example, in claim 1 and Figs. 1 and 10 of the Application. The prior art fails to disclose the at least two axle assemblies attach directly to the foot supporting member.

Support for claim 61 may be found, for example, in Fig. 10 and the supporting text as well as Fig. 1 and supporting text. The prior art fails to disclose the distance between the at least two axle assemblies is less than the foot supporting member's length.

The Applicant submits that no new matter has been added by the addition of claims 60 and 61.

SUMMARY

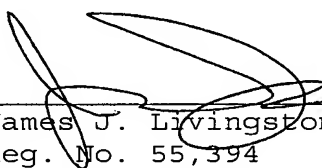
It is submitted that the claims satisfy the requirements of 35 U.S.C. §§ 112, 102 and 103. It is also submitted that claims 1-18, 20-53, 60 and 61 continue to be

allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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